



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/748,942	12/27/2000	Charles A. Eldering	T721-15	6478

27832 7590 04/22/2005

TECHNOLOGY, PATENTS AND LICENSING, INC./PRIME
6206 KELLERS CHURCH ROAD
PIPERSVILLE, PA 18947

EXAMINER

LAMBRECHT, CHRISTOPHER M

ART UNIT	PAPER NUMBER
----------	--------------

2611

DATE MAILED: 04/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/748,942	ELDERING ET AL.	
	Examiner	Art Unit	
	Christopher M Lambrecht	2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/12/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 7 October 2004 have been fully considered but they are not persuasive. In particular:

Regarding claim 1, Applicant submits:

- a. Neither Picco nor Guyot alone or in combination disclose or suggest a processor that is responsive to the queue for inserting targeted advertisements into program streams for display to the subscriber; and a communication interface that receives an additional queue of targeted advertisements; rather, he discloses receiving more advertisements to fill the existing queue (pp. 7-8, ¶2);
- b. The motivation to combine Picco and Guyot provided by the Examiner is erroneous (pp. 8-9); and
- c. Khoo fails to alleviate the deficiencies of Picco and Guyot and the motivation to combine Khoo with Picco and Guyot provided by the Examiner is erroneous (p. 9).

In response to (a), Examiner submits Picco discloses a processor for inserting targeted advertisements into program streams for display to the subscriber (see rejection of claim 1). Furthermore, Guyot clearly discloses a processor (310, fig. 2), responsive to the queue (col. 5, ll. 18-21 & col. 6, ll. 64-67). As such, the combined teachings of Picco and Guyot would result in a processor, responsive to the queue, for inserting targeted advertisements into program streams for display to the subscriber.

Regarding Applicant's assertion that Guyot fails to disclose an "additional" queue of targeted advertisements, the Examiner submits that the limitation "additional queue" fails to distinguish over the updated/refreshed queue taught by Guyot (p. 5, ll. 18-21). Guyot specifically teaches refreshing the queue by supplying plural, additional advertisements to the subscriber system (col. 9, ll. 3-7). These new advertisements represent an "additional queue" of advertisements to be received by the subscriber system.

Art Unit: 2611

In response to (b), Examiner submits that the advantages of providing “a distributor of a plurality of advertisements enhanced control over the manner in which individual advertisements are displayed” (see col. 2, ll. 20-21) and “continually updating advertisements with new advertisements” (see col. 2, ll. 30-36) are based directly on the disclosure of Guyot. Additionally, Examiner submits that the cited features of Guyot are compatible with the teachings of Picco and, that the Guyot reference clearly describes advantages of these features in an environment analogous to that described by Picco. Accordingly, the combination of Picco and Guyot is proper.

In response to (c), in view of the remarks above, the teachings of Khoo are not relied upon in the rejection of claim 1. Rather, Khoo is relied upon in the rejections of claims 3 and 4. Picco and Guyot together teach all the limitations of claim 1. Furthermore, the motivation to combine the teachings of Khoo with those of Picco and Guyot, that an arrangement may be defined in which each of a group of advertisements are to be displayed, is clearly described in the Khoo reference (col. 7, ll. 32-36). Additionally, Examiner submits that the cited features of Khoo are compatible with the teachings of Picco and Guyot and, that the Khoo reference clearly describes advantages of these features in an environment analogous to that described by Picco and Guyot. Accordingly, the combination of Khoo with Picco and Guyot is proper.

Examiner believes all of the issues raised with respect to claim 1 have been alleviated. Claim 1 stands rejected.

Applicant's arguments with respect to claims 2-11 are contingent upon the issues raised with respect to amended claim 1. In view of the above remarks, the Examiner believes these issues have been alleviated. As such, claims 2-11 stand rejected.

Regarding claim 12, Applicant's raise similar issues as to those discussed above with respect to claim 1. Examiner believes these issues have been alleviated. Accordingly, claim 12 stands rejected.

Regarding claim 13, Applicant submits:

- a. Neither Picco nor Guyot alone nor in combination disclose or suggest a processor for determining when and what advertisement should be inserted into the program stream based on the queue; and Guyot fails to disclose or suggest a queue identifying criteria for inserting targeted advertising in program streams (pp. 10-11);
- b. The motivation to combine Picco and Guyot provided by the Examiner is erroneous (pp. 11-12); and
- c. Khoo fails to alleviate the deficiencies of Picco and Guyot and the motivation to combine Khoo with Picco and Guyot provided by the Examiner is erroneous (p. 12).

In response to (a), Examiner submits Picco discloses a processor for determining when and what targeted advertisement should be inserted into the program stream (see rejection of claim 1). Furthermore, Guyot clearly discloses a processor (310, fig. 2), for determining what targeted advertising to display based on the queue (col. 4, ll. 1-14). As such, the combined teachings of Picco and Guyot would result in a processor for determining when and what advertisement should be inserted into the program stream based on the queue. Additionally, Guyot discloses the trigger circuit, as discussed above.

Regarding Applicant's assertion that Guyot fails to disclose a queue identifying criteria for inserting targeted advertising in program streams, the Examiner submits this feature is not claimed.

In response to (b), Examiner submits that the advantages of providing "a distributor of a plurality of advertisements enhanced control over the manner in which individual advertisements are displayed" (see col. 2, ll. 20-21) and "continually updating advertisements with new advertisements" (see col. 2, ll. 30-36) are based directly on the disclosure of Guyot. Additionally, Examiner submits that the cited features of Guyot are compatible with the teachings of Picco and, that the Guyot reference clearly describes advantages of these features in an environment analogous to that described by Picco. Accordingly, the combination of Picco and Guyot is proper.

Art Unit: 2611

In response to (c), in view of the remarks above, the teachings of Khoo are not relied upon in the rejection of claim 13. Furthermore, the motivation to combine the teachings of Khoo with those of Picco and Guyot, that an arrangement may be defined in which each of a group of advertisements are to be displayed, is clearly described in the Khoo reference (col. 7, ll. 32-36). Additionally, Examiner submits that the cited features of Khoo are compatible with the teachings of Picco and Guyot and, that the Khoo reference clearly describes advantages of these features in an environment analogous to that described by Picco and Guyot. Accordingly, the combination of Khoo with Picco and Guyot is proper.

Examiner believes all of the issues raised with respect to claim 13 have been alleviated. Claim 13 stands rejected

Regarding claim 14, Applicant raises similar issues as to those discussed above with respect to claim 13. Examiner believes these issues have been alleviated. Accordingly, claim 14 stands rejected.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claim 1-2 and 4-11** are rejected under 35 U.S.C. 103(a) as being unpatentable over Picco (of record) in view of Guyot (of record).

Regarding **claim 1**, Picco discloses in a television network system, subscriber equipment for displaying targeted advertisements to a subscriber (col. 7, lines 35-51), the subscriber equipment comprising:

(a) a communications interface (Fig. 7; Tuner **180** and Decoder **182**) for receiving targeted advertisements and advertisement control data (col. 11, lines 18-37 [receiving local

content at communications interface]; col. 7, line 48-56 [content profile data associated with local content transmitted to set top box] col. 8, lines 7-22 [set top box utilization of content profile data for advertisement insertion operations]), wherein the advertisement control data is selectively distributed to the subscriber (col. 7, lines 6-12 [uplink facility selectively distributing content and associated content profile data]);

- (b) memory (disk 186) for storing queue of selectively distributed advertisements and advertisement control data (col. 11, lines 35-44);
- (c) a processor (CPU 188 and splicers 190 and 192) for inserting the targeted advertisements in program streams for display to the subscriber (col. 11, lines 49-51).

Although Picco discloses the communications interface receiving targeted of advertisements with advertisement control data, Picco fails to specifically disclose the communication interface receiving a queue of targeted ads; said processor responsive to said queue; and a trigger circuit, as claimed.

However, Guyot, in an analogous art, teaches receiving a queue of advertisements (col. 3, lines 49-54, describing server transmission of targeted advertisements to subscriber; col. 4, line 35 – col. 5, line 5, describing advertisement queue and associated data defining presentation of targeted advertisements); said processor responsive to said queue (col. 5, ll. 18-21 & col. 6, ll. 64-67); and a trigger circuit which determines if a queue of advertisements has reached a low-level, wherein a communications interface receives an additional queue of ads in response to the determination (col. 7, lines 4-11 [low level trigger]; see col. 2, lines 30-36; see also col. 11, lines 59-62) for the benefit of providing a distributor of a plurality of advertisements enhanced control over the manner in which individual advertisements are displayed and for continually updating advertisements that have been displayed a predetermined number of times with new advertisements in a system for displaying targeted advertisements.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the communications interface of Picco to include receiving at least one

Art Unit: 2611

queue of targeted advertisements, wherein the queue is selectively distributed to the subscriber and further, to modify the subscriber equipment of Picco to include a trigger circuit for determining if the at least one queue has reached a low-level, wherein said communications interface receives at least one additional queue of targeted advertisements in response to a low-level determination by said trigger circuit, as taught by Guyot, for the benefit of providing a distributor of a plurality of advertisements enhanced control over the manner in which individual advertisements are displayed in a system for displaying targeted advertisements and for continually updating advertisements that have been displayed a predetermined number of times with new advertisements in a system for displaying targeted advertisements in a in a system for displaying targeted advertisements.

The limitation of **claim 2** is encompassed by the teachings of Picco in view of Guyot, as discussed above relative to claim 1. Specifically, Guyot discloses a counter for tracking number of times each targeted advertisement is displayed to a subscriber (Total Ad Playing Counter, col. 5, lines 3-5).

The limitation of **claim 5** is encompassed by the teachings of Picco in view of Guyot, as discussed above relative to claim 1. Specifically, Guyot discloses for each targeted advertisement within the queue, the queue includes advertiser data identifying the advertiser sponsoring the advertisement (Advertiser data, col. 3, line 66 – col. 4, line 1).

The limitation of **claims 6 and 7** is encompassed by the teachings of Picco in view of Guyot, as discussed above relative to claim 1. Specifically, Guyot discloses for each targeted advertisement with the queue, the queue includes a time frame defining a time during which the targeted advertisement should be displayed includes:

Art Unit: 2611

- (a) a hour frame indicating the hours of the day during which the advertisement should be displayed (Ad Hour Frames, col. 4, lines 56-57);
- (b) a day frame indicating the days of the week, month or year during which the advertisement should be displayed (Ad Day Frames, col. 4, lines 58-59);
- (c) a week frame indicating the weeks of the month or year during which the advertisement should be displayed (Ad Week Frames, col. 4, lines 60-61); and
- (d) a month frame indicating the months of the year during which the advertisement should be displayed (Ad Month Frames, col. 4, lines 62-63).

The limitation of **claim 8** is encompassed by the teachings of Picco in view of Guyot, as discussed above relative to claim 1. Specifically, Guyot teaches for each targeted advertisement within the queue (col. 4, lines 35-39), the queue includes *at least one of*:

- (a) an expiration date of the targeted advertisement (Ad Expiration Date, col. 4, lines 44-45);
- (b) a maximum total number of times the targeted advertisement should be displayed (Ad Play Times Maximum Number, col. 4, lines 42-43);
- (c) a maximum number of time the targeted advertisement should be displayed each day (Ad Frequency, col. 4, lines 64-65);
- (d) a total number of times the targeted advertisement has previously been displayed to the subscriber (Total Ad Playing Counter, col. 5, lines 2-5); and
- (e) a number of times the targeted advertisement has been displayed that day (Daily Ad Playing Counter, col. 4, lines 66-67).

The limitation of **claim 9** is encompassed by the teachings of Picco in view of Guyot, as discussed above relative to claim 1. Specifically, Guyot discloses the trigger circuit determines that the

Art Unit: 2611

queue has reached a low-level if the queue has less than a particular number of targeted advertisements remaining (col. 7, lines 4-10).

The limitation of **claim 10** is encompassed by the teachings of Picco in view of Guyot, as discussed above relative to claim 1. Specifically, Guyot teaches a communications interface is connectable to an advertisement management system (Fig. 3, processor **210**) over a network connection (communications link **400**) wherein the targeted advertisements are identified by the advertisement management system based on a profile of the subscriber supplied to the advertisement management system (col. 3, lines 43-54; see also col. 3, lines 61-65, describing subscriber personal profile utilized by processor **210** in advertisement targeting).

The limitation of **claim 11** is encompassed by the teachings of Picco in view of Guyot, as discussed above relative to claim 1. Specifically, Guyot teaches the at least one queue includes a state indicator for activating said trigger circuit (col. 6, line 64 – col. 7, line 10; Fig. 5, el. **S200**).

As for **claims 13 and 14**, Picco discloses a set-top box for inserting targeted advertisements in place of default advertisements with television program streams and corresponding method (Figs. 7 and 10; col. 7, lines 35-51), comprising:

- (a) a communications interface (Fig. 7; Tuner **180** and Decoder **182**) for receiving a plurality of targeted advertisements and advertisement control data identifying criteria for inserting the targeted advertisements into a program stream (col. 11, lines 18-37 [receiving local content at communications interface]; col. 7, line 48-56 [content profile data associated with local content transmitted to set top box] col. 8, lines 7-22 [set top box utilization of content profile data for advertisement insertion operations]);

Art Unit: 2611

- (b) memory (disk 186) for storing queue of selectively distributed advertisements and advertisement control data (col. 11, lines 35-44);
- (c) a processor (CPU 188 and splicers 190 and 192) for determining when and what targeted advertisement should be inserted into the program stream (col. 11, lines 49-51).
- (d) an inserter (audio splicer 190 and video splicer 192) for inserting the target advertisement into the program stream (col. 11, lines 49-51).

Although Picco discloses the communications interface receiving a plurality of advertisements with advertisement control data, Picco fails to specifically disclose the communication interface receiving a queue of ads, as claimed. Picco further fails to disclose a trigger circuit, as claimed.

However, Guyot, in an analogous art, teaches receiving a queue of advertisements (col. 3, lines 49-54, describing server transmission of targeted advertisements to subscriber; col. 4, line 35 – col. 5, line 5, describing advertisement queue and associated data defining presentation of targeted advertisements) and further teaches a trigger circuit which determines if a queue of advertisements has reached a low-level, wherein a communications interface receives an additional queue of ads in response to the determination (col. 7, lines 4-11 [low level trigger]; see col. 2, lines 30-36; see also col. 11, lines 59-62) for the benefit of providing a distributor of a plurality of advertisements enhanced control over the manner in which individual advertisements are displayed and for continually updating advertisements that have been displayed a predetermined number of times with new advertisements.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the set-top box Picco to include the communications interface receiving a queue identifying criteria for inserting targeted advertisements, memory for storing the queue, and the processor determining when and what targeted advertisement should be inserted into the program stream based on the queue and, further, to include a trigger circuit for determining when the targeted advertisements and the queue need to be refreshed, as taught by Guyot, for the benefit of providing a

Art Unit: 2611

distributor of a plurality of advertisements enhanced control over the manner in which individual advertisements are displayed in a system for displaying targeted advertisements and for continually updating advertisements that have been displayed a predetermined number of times with new advertisements in a system for displaying targeted advertisements.

4. **Claims 3-4** are rejected under 35 U.S.C. 103(a) as being unpatentable over Picco et al. (Picco), U.S. Patent No. 6,029,045 in view of Guyot et al. (Guyot), U.S. Patent No. 6,119,098, as applied to claim 1, further in view of Khoo et al. (Khoo), U.S. Patent 6,434,747.

As for **claim 3**, the teachings of Picco in view of Guyot are relied upon as discussed above relative to claim 1. Guyot teaches the communications interface also receives the targeted advertisements and the memory stores the targeted advertisements. However, although Guyot teaches the queue identifying ad presentation criteria (col. 4, line 35 – col. 5, line 5), Picco in view of Guyot fails to specifically disclose the queue identifying the sequence for the processor to insert advertisements, as claimed.

But Khoo, in an analogous art, teaches advertisement queues which identify a sequence for a processor to insert targeted advertisement in a program display (col. 7, lines 18-36, describing customized media list, which comprises list of customized advertising commercials which are sequenced in a predetermined order) for the benefit of defining an arrangement in which each of a group of advertisements are to be displayed.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the queue of Picco in view of Guyot to incorporate the queue identifies a sequence for said processor to insert the targeted advertisement in the program stream for display to the subscriber, as taught by Khoo, for the benefit of defining an arrangement in which each of a group of advertisements are to be displayed in a system for displaying targeted advertisements.

The limitation of **claim 4** is encompassed by the teachings of Picco in view of Guyot, further in view of Khoo, as discussed above relative to claim 3. Specifically, Guyot discloses each advertisement stored in memory is identified by an advertisement identifier that uniquely identifies the targeted advertisement and the at least one queue reference the advertisement identifier (Ad Identification, col. 4, lines 35-41).

5. **Claim 12** is rejected under 35 U.S.C. 103(a) as being unpatentable over Picco et al. (Picco), U.S. Patent No. 6,029,045 in view of Guyot et al. (Guyot), U.S. Patent No. 6,119,098, further in view of Khoo et al. (Khoo), U.S. Patent 6,434,747.

Regarding **claim 12**, Picco discloses in a television network system, a system for displaying targeted advertisements to subscribers (col. 4, lines 51-65), the system comprising:

an advertisement management system (Fig. 4; Agent **150**, Statistical Collector **152**, Local Content **108**, Scheduler **148** and Database **146**) for generating targeted advertisements for a subscriber (col. 6, line 57 – col. 7, line 32);

an advertisement distribution system (Fig. 4, Transmitter **144**, Uplink Antenna **110**, and Satellite **104**) for distributing targeted advertisements to the subscriber over the television network (col. 6, lines 52-56; col. 23-39 {transmission of advertisement content and control data to set top boxes}; and

subscriber equipment for receiving targeted advertisements and the at least one queue and displaying the targeted advertisements to the subscriber (col. 7, lines 35-51), the subscriber equipment including:

(a) a communications interface (Fig. 7; Tuner **180** and Decoder **182**) for receiving targeted advertisements and (col. 11, lines 18-37 [receiving local content]; plurality of

Art Unit: 2611

advertisements and associated content profile data, col. 6, line 61 – col. 7, line 2), wherein the at least one queue is selectively distributed to the subscriber (geographic localization; col. 6, lines 57-61);

- (b) memory (disk 186) for storing the at least one queue of selectively distributed advertisements (col. 11, lines 35-44);
- (c) a processor (CPU 188 and splicers 190 and 192) for inserting the targeted advertisements in program streams for display to the subscriber (col. 11, lines 49-51).

Picco fails to disclose the advertisement management system identifying targeted advertisements, as claimed and generating at least one queue of targeted advertisements, as claimed. Additionally, Picco fails to disclose the advertisement distribution system distributing at least one queue, as claimed. And although Picco discloses the communications interface receiving a plurality of advertisements with advertisement control data, Picco fails to specifically disclose the communication interface receiving a queue of ads, as claimed. Picco further fails to disclose a trigger circuit, as claimed.

However, Guyot, in an analogous art, teaches a system for displaying advertisements comprising an advertisement management system (Fig. 3, Processor 210) which identifies targeted advertisements for a subscriber by correlating advertisement profiles with a subscriber profile (col.3, lines 49-54) and generates a queue of targeted advertisements for the subscriber (col. 3, lines 49-54, describing server transmission of targeted advertisements to subscriber); an advertisement distribution system (communications link 400) which distributes the queue to a subscriber (col. 3, lines 45-47); and subscriber equipment (Fig. 2) which receives the queue including a memory for storing the queue (col. 4, lines 35-39), and a processor (Processor 310), responsive to the queue, for inserting targeted advertisements in a display (col. 5, lines 6-18, describing presentation of ads; col. 4, line 35 – col. 5, line 5, describing advertisement queue and associated data defining presentation of targeted advertisements) and further teaches a trigger circuit which determines if a queue of advertisements has reached a low-

Art Unit: 2611

level, wherein a communications interface receives an additional queue of ads in response to the determination (col. 7, lines 4-11 [low level trigger]; see col. 2, lines 30-36; see also col. 11, lines 59-62) for the benefit of providing a distributor of a plurality of advertisements enhanced control over the manner in which individual advertisements are displayed and for continually updating advertisements that have been displayed a predetermined number of times with new advertisements.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the advertisement system of Picco to incorporate an advertisement management system which identifies targeted advertisements for a subscriber by correlating advertisement profiles with a subscriber profile and generating at least one queue of targeted advertisements for the subscriber; an advertisement distribution system for distributing the queue; and subscriber equipment for receiving at least one queue of targeted advertisements, wherein the queue is selectively distributed to the subscriber and to include a trigger circuit for determining if the at least one queue has reached a low-level, wherein said communications interface receives at least one additional queue of targeted advertisements in response to a low-level determination by said trigger circuit, as taught by Guyot, for the benefit of providing a distributor of a plurality of advertisements enhanced control over the manner in which individual advertisements are displayed in a system for displaying targeted advertisements and for continually updating advertisements that have been displayed a predetermined number of times with new advertisements in a system for displaying targeted advertisements.

However, although Guyot teaches the queue identifying ad presentation criteria (col. 4, line 35 – col. 5, line 5), Picco in view of Guyot fails to specifically disclose the advertisement management system generating a queue identifying the sequence for the presenting the targeted advertisements, as claimed.

But Khoo, in an analogous art, teaches an advertisement management system comprising advertisement queues which identify a sequence for presenting targeted advertisements to the subscriber (col. 7, lines 18-36, describing customized media list, which comprises list of customized advertising

Art Unit: 2611

commercials which are sequenced in a predetermined order) for the benefit of defining an arrangement in which each of a group of advertisements are to be displayed.

Accordingly, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the advertisement management system of Picco in view of Guyot to incorporate each of the at least one queue identifies a sequence for said processor to insert the targeted advertisements to the subscriber, as taught by Khoo, for the benefit of defining an arrangement in which each of a group of advertisements are to be displayed in a system for displaying targeted advertisements.

Art Unit: 2611

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

7. The following are suggested formats for either a Certificate of Mailing or Certificate of Transmission under 37 CFR 1.8(a). The certification may be included with all correspondence concerning this application or proceeding to establish a date of mailing or transmission under 37 CFR 1.8(a). Proper use of this procedure will result in such communication being considered as timely if the established date is within the required period for reply. The Certificate should be signed by the individual actually depositing or transmitting the correspondence or by an individual who, upon information and belief, expects the correspondence to be mailed or transmitted in the normal course of business by another no later than the date indicated.

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on _____
(Date)

Typed or printed name of person signing this certificate:

Signature: _____

Registration Number: _____

Art Unit: 2611

Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. (703) _____ - _____ on _____.
(Date)

Typed or printed name of person signing this certificate:

Signature: _____

Registration Number: _____

Please refer to 37 CFR 1.6(d) and 1.8(a)(2) for filing limitations concerning facsimile transmissions and mailing, respectively.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher M Lambrecht whose telephone number is (571) 272-7297. The examiner can normally be reached on 9:30 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant can be reached on (571) 272-7294. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Christopher M Lambrecht
Examiner
Art Unit 2611

CML


HAITRAN
PRIMARY EXAMINER